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BG

SUBJECT: EMBASSY DHAKA INPUT TO NINTH ANNUAL TRAFFICKING IN PERSONS  
(TIP) REPORT

REF:A) 08 DHAKA 290, B) 08 SECSTATE 5577, C) 08 SECSTATE 132759

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#### SUMMARY

1. This report covers anti-trafficking efforts by the Government of Bangladesh (GOB) from April 2008 to February 2009. Paragraph three begins text. Embassy point of contact is David Arulanantham, Political Officer, telephone: 880-2-885-5500 x2148, IVG post-code: 583, fax number: 880-2-882-3744, e-mail: arulananthamdp@state.gov. Compiling the report required 68 hours at the FS-04 level, 16 hours at the FS-02 level, and 20 hours by USAID FSNs.

2. From January 2007-January 2009 a military backed caretaker government, composed of a Chief Adviser and a Council of Advisers governed Bangladesh. The main goal of the caretaker government was to prepare the country for national elections and a smooth return to a democratically elected government. They also carried out a popular fight against corruption. In the absence of an elected legislature, the President was empowered to promulgate ordinances. These ordinances will lapse unless ratified by the new Parliament within 30 days of its opening session. After successful national elections on December 29, 2008, the country swore in a new Prime Minister on January 6, 2009 and Parliament re-convened on January 25, 2009

#### ANSWERS TO REPORTING QUESTIONS

3. The country's TIP situation

-- A. The chief source of official information on TIP is the Monitoring Cell for Combating Trafficking in Women and Children, located at the Police Headquarters in Dhaka. This six person cell is part of the Ministry of Home Affairs (MOHA) and collects data on trafficking victims and law enforcement efforts. Monitoring units

collect data on trafficking in each of the 64 districts throughout the country which then feed into the National Monitoring Cell in Dhaka. Separately, the Bureau of Manpower Employment and Training (BMET) within the Ministry of Expatriate Welfare and Overseas Employment (MEWOE) provides information on the flow of migrant workers abroad. BMET has offices in over 21 districts and has made registration compulsory for job seekers. MEWOE also tracks responses to complaints received overseas by Bangladeshi Labor Attaches from expatriate Bangladeshi workers. Additional sources of information include the media, NGOs, and international donor partners.

There are no plans to expand documentation of human trafficking. These sources are generally reliable, though there have not been any recent comprehensive studies to estimate the number of trafficking cases that go unreported and the numbers that go abroad through unofficial channels.

-- B. Bangladesh remains a country of origin and transit, especially for women and children. Trafficking also occurs internally. No areas of the country are outside of the GOB's control, but law enforcement capabilities in remote rural areas are limited. The Caretaker Government that was in power from January 2007 until January 2009, launched a drive to fight corruption and improve law enforcement. The GOB also paid special attention to unethical labor recruitment agencies that have been implicated in labor trafficking. The newly elected government has promised to continue these efforts.

A significant number of persons (over 100) from Bangladesh are trafficked internally and externally to India, Pakistan, the Middle East (particularly Saudi Arabia, Kuwait and the United Arab Emirates) and Southeast Asia, including Singapore and Malaysia, for

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the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. No comprehensive studies of the extent of human trafficking in Bangladesh have been conducted for the purposes of statistical reporting. In the absence of quantitative data, it is difficult to characterize trends but anecdotal evidence suggests that patterns have largely remained the same from the previous year.

Civil society groups estimate that the number of women and children trafficked every year is 10,000-20,000. Trafficking remains a matter of serious concern for the GOB, and civil society and public awareness is high. NGOs indicate anecdotally that the trafficking of women and children is abating. Simultaneously, they perceive an increase in the detainment of traffickers and the rescue of TIP victims. Between April 2008 and February 2009, MOHA reported a total of 251 victims rescued by law enforcement agencies, as opposed to 92 over the same period last year, representing a nearly 173 percent increase.

-- C. Victims are trafficked into a variety of conditions. Women and female children are often trafficked into conditions of sexual exploitation; some are sold off in auctions and subsequently forced to work in brothels where they may service an average of ten clients a day and contract sexually transmitted diseases. The Bangladesh National Women Lawyers Association estimates that the single largest group of foreigners in Indian brothels is Bangladeshi nationals. Young boys have been trafficked to the Middle East to work as camel jockeys in the past, though this practice has virtually ended. Media reports and some NGOs state that some adult men and women have been trafficked for medical purposes, and are sent to hospitals in India so that their organs can be harvested and sold off. Finally, many young men have left for the Middle East where they find their pay and working conditions to be significantly different from what they had been initially promised. In some cases their employers hold their passport, making it difficult for these individuals to leave the country. Quite frequently, the workers do not receive their wages, have amounts deducted from their paycheck or are significantly underpaid. In many instances they work for a large majority of time to simply pay off the debt they incurred to go abroad as laborers to the Middle East.

-- D. The poor and uneducated face the greatest risk of trafficking. Individuals seek employment outside their home communities and families are forced to sell their children because of economic

hardship. In many cases the parties concerned are aware that they may be trafficked but take the risk anyway. Targeted populations include the very poor, migrants, ethnic minorities, flood and other disaster victims, runaways, the illiterate, and women who have been divorced, widowed, or abandoned.

-- E. Depending on the case, traffickers include individuals with a personal connection to the victim, brokers connected with regional gangs, and recruiting agencies offering promises of jobs abroad.

Some victims of trafficking report they were enticed by false promises of marriage or employment. Traffickers may also kidnap or purchase minors from their parents. In some cases, parents or guardians take trafficked children to a worksite and then leave them with their employers. Often, traffickers dupe poor families to believe that the traffickers can provide better economic or educational opportunities for their children but more often than not children are given away out of sheer economic desperation. The Center for Women and Child Services reports that trafficked boys are generally under the age of 10 years and that trafficked girls are generally between 11 and 16 years.

Adult males go abroad or to other parts of the country (typically Dhaka) in search of work as laborers to support their families back home. The vast majority of workers going abroad choose the Middle

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East and Southeast Asia. BMET reports that it processed applications for over 875,000 workers during calendar year 2008. mainly to the Persian Gulf countries. The United Arab Emirates was the main recipient of Bangladeshi workers in 2008. Remittances topped \$8 billion in 2008, though NGOs estimate that as much as \$4 billion more comes through unofficial channels. Expatriate labor remittances are the second largest source of foreign currency for Bangladesh.

While the majority of Bangladeshi expatriate laborers work under legitimate contracts, NGOs report that many are victims of fraud and many of those are trafficked, though exact numbers are difficult to ascertain. Some are trafficked after arriving in their intended destination country or while in transit. Workers typically incur large debts (paid to recruiters or their brokers) to cover illegal processing fees for labor contracts and visas. The official ceiling for recruiting fees is 84,000 taka (approximately \$1,235) but according to NGOs workers typically pay as much as 400,000 taka or more (\$5,880). Traffickers often change the terms of the workers' contract or fail to live up to the stated conditions. They sometimes use physical violence and threats to compel involuntary labor.

Fake birth, marriage, divorce, and death certificates are widely available, and few people in rural areas register births (nationally less than 10% of live births are registered) or marriages. Many Bangladeshis use at least two birth dates: the actual date of their birth, and a fake birth-date used for official school records and employment purposes. Based on the ubiquity of fake/unverifiable documents, real passports are granted for fake identities.

Progress on the rehabilitation of former camel jockeys in the UAE continues. Since 2005, the UAE has repatriated a total of 199 boys originally trafficked as camel jockeys following an agreement between the two governments. In the past year, the UAE has repatriated no former camel jockeys. (Most repatriation occurred in 2005 and 2006.) All but one former camel jockey have been reintegrated into their home communities. Unofficially, since 2005, at least 32 boys have returned from the UAE to Bangladesh through other channels.

According to GOB reports, no camel jockeys of Bangladeshi origin remain in the UAE. Former jockeys report that some trafficked camel jockeys have chosen to stay on in the UAE and are pursuing other employment options, sometimes continuing in the camel racing field in capacities other than jockeys. (There is no evidence they were re-trafficked.)

#### 14. Setting the scene for the government's anti-TIP efforts

-- A. The GOB acknowledges that trafficking is a problem in the country and has taken active measures, working in coordination with civil society and donor partners, to combat the problem. Trafficking has received attention from the highest levels of government, including the former Home Adviser and the Home Secretary and combating it has been a national priority. In Bangladesh, however, as in many parts of the region, human trafficking is most commonly understood as the trafficking of women and children. This definition corresponds with the South Asian Association for Regional Cooperation's anti-trafficking convention, and Bangladesh's main anti-trafficking legislation. Thus, there is less sensitivity to the trafficking of adult males and bonded labor. Perceptions are changing, especially at the law enforcement levels as the efforts of the government and NGOs increase awareness levels. Although Bangladesh's labor and criminal laws penalize involuntary and bonded

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labor, there remains a lack of clarity on the definition of certain labor abuses and labor law violations as potentially being a form of trafficking. However, the MOHA and MEWOE have accepted that certain labor law abuses and violations (including involuntary servitude and indentured labor) are forms of trafficking, particularly when associated with expatriate laborers.

-- B. The lead agency in anti-trafficking efforts is the Ministry of Home Affairs (MOHA), which closely coordinates and oversees the Monitoring Cell. In June 2008, the Ministry also set up the "Trafficking in Human Beings Investigation Unit," with 12 police officers who are given special training on investigative techniques. The BMET, within the MEWOE licenses labor agencies and places labor attaches in designated GOB diplomatic missions.

The Home Secretary continued to chair the monthly inter-ministerial National Anti-Trafficking Committee Meeting, which was attended by representatives from other departments and ministries in the government. The Committee's main purpose is to monitor the progress of activities undertaken by various government entities. The Home Secretary also chaired the monthly meeting with civil society and donor partners, the GO-NGO National Coordination Committee for Combating Trafficking. This committee includes representatives from the Ministry of Foreign Affairs (MOFA), the Ministry of Women and Children's Affairs, the Attorney General's Office, international organizations and foreign missions. The committee coordinates local and national anti-trafficking efforts and works to share responsibilities, resulting in the reduction of overlapping responsibilities.

Other GOB actors involved with anti-trafficking efforts include the Prime Minister's Office, the Ministry of Law, the Ministry of Information, the Ministry of Social Welfare, the Ministry of Labor and Employment, the Ministry of Religious Affairs, the Ministry of Education, the NGO Affairs Bureau, the Department of Local Government, the Civil Aviation Authority, the Department of Immigration and Passports, the ANSAR local militia force, the paramilitary Rapid Action Battalion, the Bangladesh Rifles border guard force, the Coast Guard, and the police.

-- C. Bangladesh's inefficient judicial system constrains the GOB's ability to successfully prosecute trafficking offenses. Bangladesh's courts are plagued by a high case backlog and procedural loopholes that create significant delays. Lack of sufficient training for judges, prosecutors, and law enforcement agents who draft charge sheets continue to constrain the prosecution of trafficking cases. These delays create situations in which traffickers can pressure families to negotiate out-of-court settlements; for trafficking victims (or their families) the choice of an immediate financial payoff is more certain and preferable to the possibility of a court verdict in their favor anywhere from two to six or more years in the future. Thus, the case backlog and procedural delays endemic to the Bangladeshi court system limit the

ability of the GOB to successfully prosecute trafficking crimes. The GOB has sought to address deficiencies in the legal system by working with the International Organization on Migration (IOM), the Daywalka Foundation, and the US Department of Justice to provide training for prosecutors. Overall resource constraints and high levels of corruption also hinder the government's ability to combat the problem of trafficking.

Separately, the GOB also has special tribunals for adjudicating cases of violence against women and children. There are currently 42 courts in 32 districts of the country.

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-- D. The Monitoring Cell systematically collects data on trafficking arrests, prosecutions, and rescues. This information is updated on a monthly basis and is available to Post and other interested donors. One of the functions performed by the cell is coordination and analysis of local-level information from regional anti-trafficking units. These regional police units are responsible for monitoring local trafficking cases and assisting prosecutors in moving the cases to trial.

District level trafficking-in-persons monitoring committees continue to operate in each of Bangladesh's 64 districts, headed by the Deputy Commissioner (the principal government officer at the district level). Among other responsibilities, these local committees monitor selected trafficking cases and provide monthly progress reports on arrests, convictions, acquittals, and repatriation of trafficked victims.

The Ministry of Home Affairs, now publishes an annual Bangladesh Country Report on Combating Trafficking in Women and Children. The last report was published in February 2008. Post will provide the latest version to G/TIP as soon as it is available.

Following the monthly GO-NGO and National Anti-Trafficking Committee meetings, the government takes action to prevent trafficking through public service announcements and other outreach activities, to coordinate victim care while moving towards minimum care standards and to bring in other actors, as needed, to enhance the prosecution of cases.

The GOB is also conducting several public awareness programs under the aegis of the National Action Plan on TIP, 2008.

#### 15. Investigation and Prosecution of Traffickers

There were no new anti-trafficking ordinances promulgated in Bangladesh since last year's report.

-- A. Bangladesh does not have a comprehensive law prohibiting trafficking in persons for sexual and non-sexual purposes. The deficiency of Bangladesh's central anti-trafficking law is that it covers only women and children. However, other provisions of Bangladesh's labor and criminal laws functionally cover trafficking offenses against men (albeit neglecting the trafficking of men for sexual purposes). (NOTE: Culturally, it appears that men are not viewed as potentially being victims of either rape or sexual trafficking. END NOTE.)

There were no new TIP ordinances in 2008. See Ref. C for a full inventory of all TIP related laws and Constitutional provisions.

-- B. The most common sentence handed down in sex trafficking cases is life imprisonment, but sentences can range from 10 years of hard labor to death. In the past year, MOHA reports that convictions and punishments for trafficking under The Repression of Women and Children Prevention Act of 2000 (Amended in 2003), which includes sex trafficking and possibly labor trafficking as well increased significantly. This included the following: 26 individuals being sentenced to life imprisonment, 11 persons received other terms

, and no death sentences as opposed to 11 individuals receiving life imprisonment, four receiving other terms and no one receiving death sentences the year before.

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-- C. Comprehensive statistics on the prosecution of labor abuse violations are not available. The Bangladesh Labor Act of 2006 is applicable domestically, while domestic labor trafficking violations involving women and children have been prosecuted under The Repression of Women and Children Prevention Act of 2000 (Amended in 2003). MEWOE regulates expatriate worker recruitment, guided by an Overseas Workers Policy adopted by the GOB in October 2006. Prosecutions for labor trafficking violations are generally conducted under anti-corruption, breach of contract, and fraud statutes; these constitute a mix of potential civil and criminal liabilities. The most common penalties for violations are generally civil: these include de-licensing, closure of the involved agency, forfeiture of security bonds, as well as fines.

In 2007, the MEWOE and BMET continued enforcement action on labor recruiting agencies. In order to obtain a license, labor recruiting agencies must provide security deposits of 650,000 Taka (less than US\$10,000). (NOTE: The MEWOE is seeking to have this increased to 1.5M Taka or USD 22,000. END NOTE.) If a recruiting company is shut down, the performance bonds are liquidated for payment of compensation to aggrieved workers, who may be victims of trafficking.

-- D. Under the Repression of Women and Children Prevention Act as amended in 2003, the penalty for rape is a life sentence with hard labor, and a fine. If a rape corresponds with the death of the rape victim (aggravated murder), the sentence can range from mandatory life imprisonment to the death penalty. The penalty for sexual abuse ranges from three to ten years of hard labor as well as fines. These penalties are equivalent in severity to the crimes of trafficking for commercial sexual exploitation.

-- E. Government prosecution efforts against traffickers increased during the reporting year. From January 2008 to February 2009 the GOB investigated 134 trafficking cases, arrested 166 people on trafficking-related charges, and initiated 90 cases (multiple persons per case is possible) as opposed to 107 cases investigated, 81 people arrested and 94 cases initiated the year before. During this period, 35 cases were concluded as opposed to 29 the year before. The courts issued convictions in 18 cases as opposed to 15 the year before, with 26 individuals receiving sentences of life imprisonment, and 11 receiving sentences of lesser prison terms. The numbers of criminals receiving life imprisonment and other terms for the previous reporting period are as stated above: 11 and four. (Within the past year, the courts issued no death sentences for TIP related convictions.) This leaves 38 persons acquitted in 17 cases.. Though early to make firm conclusions it does appear that once convicted, traffickers generally serve their time.

Bangladeshi law treats certain types of cases as acquittals that in other jurisdictions would likely be treated as mistrials. Many TIP cases are settled out of court, and in some cases witnesses do not show up for the trial for fear of retribution. Generally, these settlements are made outside of the legal system and involve informal arrangements of cash payments (technically, these arrangements are prosecutable against the person offering the inducements). Since these cases are counted as acquittals, it distorts the numbers of defendants found innocent. There is no mechanism for plea bargaining in trafficking cases, and imposing only a fine is not a sentencing option.

Out-of-court settlements may be preferred by TIP victims for fear of retribution from the trafficker and because of the extended time

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requirements for a full case, which can take 2 to 6 years for resolution, on average. Given the possibility of extensive procedural delays, victims and their families may choose an immediate pay-off to the prospect of receiving justice many years later. The social stigma associated with trafficking situations is another reason victims may prefer a quick resolution of the case.

In 2008, the GOB continued investigations and prosecution of cases against labor recruiters who made knowingly fraudulent or deceptive offers. In early 2007, as part of a wider anti-corruption effort, investigators uncovered linkages between recruitment agencies and other corruption cases. Investigations are still on-going in many of these cases. Between January 2008 and February 2009 a total of nine recruiting agencies were shut down, 25 had their licenses cancelled, six had to forfeit their security money, seven were suspended, and three new cases were filed against labor recruiting agencies. In the previous reporting year, five agencies were closed down and four labor recruiters were prosecuted. According to MEWOE, there were 1,010 complaints during the year, of which 745 were disposed.

MEWOE has taken some proactive steps to reduce opportunities for the deception and exploitation of expatriate workers. The governments of South Korea and Bangladesh agreed to eliminate the role of recruitment agencies and to instead have the Ministry of Expatriate Welfare recruit the workers directly. The GOB has also attempted to sign memoranda of understanding with various labor destination countries in order to get them to comply with minimum international labor standards. In addition, a non-profit micro-credit institution set up by the government has been offering low interest loans to workers going abroad to offset the problem of workers incurring large sums of debt.

MEWOE officials note in some cases of labor trafficking abroad, agents may induce returnee victims to not file cases against them, in exchange for priority treatment and placement in "good" work environments, with legitimate contracts.

-- F. In 2008 the GOB continued implementation of trafficking courses for the National Police Academy, reaching a total of 2,827 police officers. In the 2008 calendar year, IOM provided TIP training for a total of approximately 12 labor attaches going to 10 countries, and to 28 land-port immigration officials. The GOB continued working with USAID to develop and provide specialized TIP training for police officers and court inspectors.

-- G. The GOB coordinates with other governments in the investigation, repatriation and rehabilitation of trafficking victims; the repatriation of Bangladeshi camel jockeys best exemplifies a systematic cooperation effort. The GOB and the Government of India are collaborating on a joint action plan to repatriate child trafficking victims. Bangladesh claims it has completed its requirements, and is now waiting for action from the Indian side on implementation of the plan. Unofficially, government and NGO sources report good cooperation with India's Border Security Forces, the Bangladesh Police and the Bangladesh Rifles on issues of trafficking and cross-border movements.

-- H. There are no pending extradition requests involving trafficking. There is no constitutional provision prohibiting extradition but Bangladesh has only signed an extradition treaty with Thailand. Civil society has reported no further progress on the possibility of signing bilateral TIP extradition treaties as part of an initiative by the South Asian Association for Regional

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Cooperation (SAARC) to combat trafficking.

-- I. There is no evidence of systemic government involvement in or tolerance for trafficking. To the contrary, this issue has received attention at the highest levels of government. Some NGOs, however, have spoken of a nexus between certain politicians and corrupt



recruiting agencies as well as some village level brokers, politicians and regional gangs involved in carrying out trafficking activities. None of this has yet been proven.

-- J. See above. In the past year there was no evidence of any links between government officials and trafficking. In 2006, there were a total of four cases involving 20 government officials possibly complicit in trafficking activities which had been filed by the government or pending from previous years. Two of these cases remain pending. One of the cases was disposed with the five defendants being acquitted. One other case was shown to be a case not involving "official complicity" and remains under trial.

The police have taken a few steps to prevent complicity by low level officials in trafficking. There is currently a surveillance team operating at certain immigration check points along with close circuit cameras.

-- K. In 2000, the Supreme Court decriminalized prostitution for women over the age of 18. The act of solicitation, however, still remains illegal. (See above cited laws on prostitution, pimping, brothels, and trafficking.) Women seeking to work legally as a prostitute must obtain a license from a local magistrate. The punishment for pimps is ten years to life imprisonment. The minimum age of 18 for legal female prostitution can easily be circumvented by false statements of age. The government rarely prosecuted procurers of minors (no prosecution data is available for this crime). Local NGOs estimated the total number of female prostitutes in Bangladesh to be over 100,000. The UN Children's Fund (UNICEF) estimated in 2004 that there were 10,000 underage girls used in commercial sexual exploitation in the country, but other estimates placed the figure as high as 29,000.

-- L. Bangladesh is the second largest contributor to UN Peacekeeping Forces abroad, after Pakistan. According to media reports, in the past, GOB forces were part of the broader investigations into abuses by forces in the Ivory Coast and Sierra Leone. The MOFA confirmed that there were some allegations against soldiers in Sierra Leone but was unable to provide specifics about the outcome of any incident. Figures about the actual severity of this problem are also unavailable. According to the MOFA, complaints about Bangladeshi troops go to the Armed Forces Division, which can administer a range of sanctions within the military court system.

-- M. Bangladesh has no known problem with child sex tourism.

#### 16. Protection and Assistance to Victims

-- A. The GOB has developed a regional witness and victim protection protocol in conjunction with IOM. This protocol includes a series of policies the GOB has begun implementing, including protections for trafficking victims and witnesses. District police monitoring units cooperate with NGOs in victim and witness protection during the trial stage. Overall, the ability of the government to offer protection to witness is hampered by the social stigma that exists for trafficking victims and the relative economic power and influence that many traffickers have in society.

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-- B. Bangladesh is a source country for trafficking and as such does not have any foreign victims. The GOB supports shelter homes and one-stop crisis centers in Dhaka hospitals. There are six safe homes for women and children, which are manned by the Ministry of Social Welfare. Because of resource constraints, the prevailing conception of TIP and the greater stigma women and children face, these safe homes focus on women and children. These centers, in cooperation with NGOs, provide legal, medical, and psychiatric services to victims of trafficking. Victim services are also provided at NGO-run shelters. This past year, a total of 204 individuals were referred to these services. No information is available on the total number of trafficking victims currently in



NGO homes: however, for NGO homes supported by USAID, over 410 trafficking victims were assisted from October 2007 to September 2008.

-- C. The GOB provides victims with access to very basic legal, medical and psychological services. The GOB does not fund NGOs to provide victim services, but there is good coordination and cooperation between the government and the NGOs. In some cases, MEWOE works with foreign NGOs to assist expatriate workers. The GOB pays approximately 1.4 million Taka (\$20,000) each year for its membership in the UN-affiliated IOM.

-- D. See above. Bangladesh is a source, not a destination country for trafficking victims.

-- E. See above. Because of funding constraints the government is limited in its ability to provide long term assistance; this has largely been the domain of the NGOs. The MEWOE operates four shelter homes to assist female Bangladeshi workers in Riyadh, Jeddah, Abu Dhabi and Dubai. They report having three more shelters in Kuala Lumpur, likely in collaboration with local NGOs. Domestically, the Ministry of Social Welfare operates six shelters for female and child victims (including but not exclusive to trafficking victims). These shelters have a total capacity of 1900 people, and are located in the divisional headquarter cities of Dhaka (Tongi), Sylhet, Barisal, Rajshahi, Chittagong, and Bagerhat. In addition, the Ministry of Women and Children Affairs operated three shelter homes in Dhaka: two in Lalmatia and one in Gazipur. The total number for the entire 2008 period is unavailable, but is likely higher. No statistic is available on the total number of trafficking victims currently in NGO homes in Bangladesh. For NGO homes supported by USAID, more than 400 trafficking victims have been assisted in the past year.

The government also partially funds an IOM Project, "The Prevention and Protection of Victims of Human Trafficking in Bangladesh." Through the project, the IOM has taken started new ventures like coffee shops managed by trafficking victims and plans other livelihood programs to help reintegrate these individuals into society.

-- F. The formal process for referring victims of internal trafficking to shelter homes and NGOs is through the courts, or referral by the police or Home Ministry officials.

Bangladesh's courts and police often refer victims of trafficking to

(NGO)-run shelters. Post works with four NGO shelter homes: BNWLA in Dhaka, Dhaka Ahsania Mission in Jessore, TMSS in Bogra, and ACD in Rajshahi. At NGO shelters, victims typically receive a mix of individual counseling, vocational training, health care, and legal assistance.

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Community involvement in anti-trafficking committees and pro-active work done by many local government officials is also essential in identifying at risk persons.

-- G. NGOs estimate the total number of trafficking victims to be approximately 10,000-20,000 women and children in 2008 though the exact figure is difficult to estimate. A total of 251 victims were identified and rescued by law enforcement officials and of these 204 individuals were referred to care facilities by law enforcement officials.

-- H. Authorities proactively identify persons and communities facing a high-risk of trafficking in response to specific events. For example, after Cyclone Sidr, in 2007, the government instructed police to be on the look out for potential trafficking victims. Prostitution is decriminalized for women over 18 in Bangladesh. Post is not aware of specific efforts by the GOB to screen for trafficking victims among women involved legally with prostitution.

-- I. The rights of victims are generally respected, and the GOB does not punish trafficking victims. Only when no space is available in a shelter home will a female victim (as a ward of the police or court) have to stay in a jail. Since Bangladesh is not a destination country for trafficking, deportations and immigration fines do not apply.

-- J. Police anti-trafficking units encourage victims and witnesses to assist in the investigation and prosecution of cases. Since trials are rarely continuous, and even one witness's testimony may be heard in a handful of court sessions over a period of months, this type of support is important for mounting effective prosecutions. Several NGOs assist and encourage victims to file civil suits. However, no civil cases have been filed yet. Witnesses may leave the country with the permission of the court (in criminal cases) or by informing the court (in civil cases).

Victims of labor trafficking abroad are sometimes able to get compensation for losses through liquidation of the recruiting agency's security bonds. The MEWOE "wage earners" fund pays for lodging abroad and repatriation in some cases. Typically, however, no back wages have been paid to such victims - usually the damages paid amount to the fees paid to the recruiter.

-- K. Labor attaches deputed from the Ministry of Expatriate Welfare and Overseas Employment serve in 12 Bangladeshi diplomatic missions abroad: Riyadh, Jeddah, Abu Dhabi, Dubai, Manama, Doha, Muscat, Kuwait City, Singapore, Kuala Lumpur, Tripoli, and Seoul (replacing Tehran). Bangladesh's labor attaches are specially trained and charged with responsibility for victim assistance. The Ministry of Expatriate Welfare and Overseas Employment received 1,010 complaints between January 2008 and January 2009. Of these, the government addressed a total of 745 complaints. In this period, the total amount of money distributed to expatriate workers by Ministry of Expatriate Welfare and Overseas Employment from recruiter's security bonds and fines is calculated to exceed 94 million taka (approximately \$1,382,352). NGOs concur that since October 2007 over 80 cases have been resolved by the government against the recruiting agencies. One individual received a pay out of over 230,000 taka (\$3,382).

In 2008 the GOB continued providing trafficking courses for the National Police Academy, reaching a total of 2,827

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police officers. Also, the government provided TIP training to over 28 land-port immigration officials were in collaboration with USAID.

Training for government officials focuses on enhancing the capacity of law enforcement officers to handle TIP cases more efficiently, and to better protect and assist trafficking victims. The GOB provided specialized TIP training to its border security forces, the Bangladesh Rifles (reaching 7,181 members), as well as Ansar and Village Defense Party forces (reaching 833,778 members).

In 2008, IOM provided TIP training for 12 Bangladeshi diplomats. MOHA officials also conducted an all-day roundtable discussion with IOM on the role of Bangladeshi diplomats in combating TIP. During this meeting GOB officials discussed a new MOFA circular entitled "Guidelines for Bangladesh Missions Abroad to Combat Trafficking in Persons." This guidance instructed its embassies and consulates on procedures for assisting victims of TIP, on developing relationships with other ministries to facilitate assistance to TIP victims.

-- L. See answers to questions above. The government does provide assistance to its nationals who are repatriated as victims, but faces financial constraints. Bangladesh's labor attaches are specially trained and charged with responsibilities for victim assistance. Although driven by a larger agenda of helping all Bangladeshi expatriate workers, support and advocacy services (for making

complaints in the host country) are also available to victims of trafficking.

The GOB works closely with NGOs to provide medical assistance, shelter, and legal and psychiatric services to trafficking victims. Abroad, at least four shelter homes have been established by the MEWOE, specifically to assist female Bangladeshi workers in Riyadh, Jeddah, Abu Dhabi and Dubai. At these homes expatriate workers can receive on an emergency basis food, shelter and arrangements for repatriation. In Malaysia, MEWOE reports there are three shelter homes for both male and female expatriate workers; these homes are likely partially supported by local NGOs. In all situations, MEWOE's Labor Attaches are charged to provide advocacy services and to assist with the provision of legal assistance to workers facing abuses or contract disputes.

The GOB's rehabilitation program for repatriated camel jockeys is being funded by the Government of United Arab Emirates (UAE). Since August of 2005, collaborative efforts between the GOB, UAE, and NGOs have resulted in the repatriation of over 199 boys trafficked to the middle-east to serve as camel jockeys. The boys have been housed in government of NGO-run shelters, and have been provided vocational training and compensation packages of 104,000 taka (\$1,500). In conjunction with UNICEF, the GOB worked on a second phase to ensure the sustainable rehabilitation and reintegration of returned camel jockeys. The second phase will address all former camel jockeys (since 1993), including 345 former victims who returned to Bangladesh prior to the 2005 repatriation program. Camel jockeys who became handicapped during their exploitation will receive compensation packages of 300,000 to 500,000 taka (\$4,400- 7,200).

-- M. Bangladesh has numerous NGOs working on TIP issues and assisting trafficking victims:  
-Bangladesh National Women Lawyers Association: shelter, legal, psychiatric services;  
-Ahsania Mission: shelter, legal, vocational services;  
-Association for Community Development: shelter and psychiatric

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services;  
-Rights Jessore: shelter and psychiatric services;  
-Savior Jessore: shelter and psycho social services;  
- TMSS: shelter services;  
-IOM: training for diplomats and police, inter-agency coordination;  
-UNICEF: assisted in repatriation of camel jockeys, advocacy and training on trafficking issues; bilateral government activities with Bangladesh and India;  
-INCIDIN: child rights, shelter for street children;  
-The Daywalka Foundation: research, training, TIP policy advocacy.  
-Terres des Hommes (Italia): prevention, awareness raising;

## 15. Prevention

-- A. The GOB continues to implement an extensive, nation-wide anti-trafficking campaign targeted mostly at potential victims and law enforcement or other authority figures who could come into contact with them. From January 2008 through December 2008, the GOB disseminated TIP messages in various forms, including public service announcements (PSAs), dramas, discussions, interviews and songs on the state-owned Bangladesh television (BTV), the only terrestrial TV channel in Bangladesh. They reported a total of 3,229 individual spots dealing with TIP in 2008. The GOB also used the state-owned Bangla Betar radio network for TIP outreach during the same period.

The Ministry of Religious Affairs continued anti-trafficking outreach during the calendar year 2008, including training religious teachers on TIP issues (with USAID assistance, approximately 3,100 religious teachers were trained); they report reaching a total audience of 239,670. The Ministry of Social Welfare, reported reaching a total population

of 6,727,822 people through discussions, consultations, training, motivation, rallies and posters. The Ministry of Women and Children Affairs reached a total population of 700,333 persons with TIP messaging. The Ministry of Primary and Mass Education reported reaching a total population of 13,723,523 persons with TIP messaging

The TIP Monitoring Cell reports that anti-TIP messaging was included in monthly public outreach sessions conducted by Superintendents of Police, District Commissioners, and Upazilla (county) heads in each of Bangladesh's 64 districts. Conservative estimates indicate that at least four million people received TIP awareness messages through these outreach efforts in 2008. A total of 843,532 members of the police, Bangladesh Rifles, ANSAR and Village Defense Parties also received anti-trafficking training.

-- B. From January 2008, until December 2008, according to government figures, immigration and customs officials did not encounter any potential trafficking victims at the border. The government instituted a three-stage screening process at all international airports. Land border screening remains weak, though the GOB has begun training land-port immigration officials to on trafficking issues. The Home Ministry now provides updated numbers of potential victims stopped at the borders and analyzes them with the assistance of donor agencies and NGOs to identify trafficking patterns.

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-- C. See above. There is a strong working relationship on anti-trafficking issues among government officials, NGOs, and other elements of civil society. Officials from various government offices collaborate on prevention, victim protection, and prosecutions. The central mechanism for coordination and communication among GOB ministries and civil society representatives is a monthly inter-ministerial trafficking-in-persons committee meeting, involving all relevant GOB ministries. There is also the coordination committee meeting with NGOs. Both meetings are chaired by the Home Secretary. Anecdotally, several NGOs have noted that these meetings are more than just a "talk shop," but that they build levels of awareness and result in substantive output. The MOHA also meets regularly with the Embassy to provide updates on their anti-trafficking efforts.

-- D. The Ministry of Women and Children Affairs announced its National Anti-Trafficking Strategic Plan for Action (NATSPA) in 2006. However, this plan has not been implemented by the Ministry of Women and Children's Affairs. The Home Ministry, is developing its own action plan, the National Plan of Action to Combat Trafficking in Women and Children (NPACTWC). There is some discussion at the steering committee level regarding the possibility of expanding the scope of plan to include trafficking in men as well, which would then include labor trafficking issues in addition to sexual trafficking.

-- E. Post is not aware of any actions taken by the GOB to reduce the demand for commercial sex acts. However, the Constitution of Bangladesh includes the provision of Article 18(2): the State shall adopt effective measures to prevent prostitution.

-- F. Bangladeshi nationals are not known to be involved in international child sex tourism.

-- G. The GOB reported that troops and police selected for peacekeeping missions receive extensive training on proper conduct while abroad. On the whole, Bangladeshi nationals value the opportunity to serve abroad and earn foreign currency. Such assignments can be both professionally and financially rewarding to the individual in question. The MOFA reports there are several potential sanctions

for troops engaging in misbehavior of any kind. These include the requirement to pay ones way back to Bangladesh, the threat of not being posted again on a second tour and more severe forms of punishments within the military justice system.

#### NOMINATION OF HEROES AND BEST PRACTICES

##### 16. Heroes

Post nominates the Government of Bangladesh's TIP Monitoring Cell, which effectively supports both anti-TIP field activities and continual improvement in the policy and strategic approach to TIP issues in Bangladesh. On behalf of the officers serving in the cell, post submits the name of the head of the Cell:

Mr. Humayun Kabir, Assistant Inspector General, Bangladesh National Police.

##### 17. Best Practices

The national TIP Monitoring Cell at the Police Headquarters in Bangladesh should be considered a best practice. Since 2004, the Cell has collected, maintained, and monitored data on trafficking cases in all 64 districts of the country .

The TIP Monitoring Cell monitors the movement and arrest of

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criminals involved in human trafficking, rescue, recovery and rehabilitation of TIP victims, prosecution of TIP cases and the progress of disposal of TIP cases. The Cell coordinates TIP prevention activities by relevant agencies at airports and the land-ports. Police monitoring units at each of the 64 district headquarters provide on a daily basis the central Cell with TIP statistics including progress on arrests, adjudication of cases, sentences for convicted traffickers and status of rescued victims. This is no small feat in a developing country with several areas that are remote and difficult to reach. The Cell compiles and prepares periodic reports for the Ministry of Home Affairs and other TIP committees. Apart from its work in combating TIP, the cell is one of the few reliable sources of data on TIP in the country.